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October 27, 2008.

Signature

→ USPTO CENTRAL 2001

Date: October 27, 2008

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a vegacine.

Application Manual

Appli Confirmation Number with an effective filing date of June 20, 2003 Filing Date TRANSMITTAL Mitsuru HORIBA, Nobumasa TSUTSUI and First Named Inventor **FORM** Yasuhiro TSUTSUI (to be used for all correspondence after initial Group Art Unit 3767 filing) Fax: (571) 273-8300 Shefali D. Patel Examiner Name **ADACHI P265US** Attorney Docket Number Total No. of Pages in this Submission: 15 ENCLOSURES (check all that apply) ☐ After Allowance Communication ☐ Assignment papers ☐ Fee Transmittal Form to Group (for an Application) ☐ Fee attached - Check \$ Appeal Communication to Board □ Drawing(\$) of Appeals and Interferences □ Amendment/Response □ Licensing-related Papers ☐ Appeal Communication to Group After Final (Appeal Notice, Brief, Reply Brief) Petition Routing Slip (PTO/SB/69) ☐ Affidavits/declaration(s) and Accompanying Petition □ Proprietary Information (DELETED - no longer useful) □ Extension of Time Request ☐ Status Letter □ To Convert a Provisional Petition (in Duplicate) Additional Enclosure(s) D Power of Attorney, Revocation □ Express Abandonment Request Change of Correspondence Address (please identify below): Petition for Withdrawal of Notice of □ Information Disclosure Stmt □ Terminel Disclaimer Abandonment-2 pg. Notice of Abandonment- 1 pg. □ Certified Copy of Priority Response- 11 pg. ☐ Small Entity Statement Document(s) Auto-Reply Facsimile Transmission- 1 pg. □ Request for Refund ☐ Response to Missing Part/s Incomplete Application □ Response to Missing Parts under 37 CFR 1.52 or 1.53 REMARKS SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Reg. No. 42,462 Scott A. Daniels Firm or Individual Name CUSTOMER NO. 020210 DAVIS BUJOLD & DANIELS, P.L.L.C. Signature October 27, 2008 Date CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office on

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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Mitsuru HORIBA, Nobumasa TSUTSUI and

Yasuhiro TSUTSUI

Serial no.

10/518,822

Confirmation No.

with an effective filing date of June 20, 2003

Filed

CATHETER

For Group Art Unit

3767

Examiner

Shefali D. Patel

Docket

ADACHI P265US

The Commissioner for Patents U.S. Patent & Trademark Office P. O. Box 1450 Alexandria, VA 22313-1450

PETITION FOR WITHDRAWAL OF NOTICE OF ABANDONMENT

Dear Sir:

In a Notice mailed October 23, 2008 (see attached copy thereof), the Patent Office informed the undersigned that the above identified application was abandoned in view of Applicant's failure to respond to the official communication mailed March 18, 2008. This Notice is believed to have been issued in error as the Applicant timely responded to that outstanding official communication by filing a Response submitted under an June 17, 2008 Certificate of Mailing date (see attached copy of the filed material and the auto-reply facsimile transmission confirming receipt of the same). Accordingly, the Applicant respectfully requests withdrawal of the issued Notice of Abandonment and expedited consideration of the previously filed material.

No petition fee is believed payable in view of this Petition however, in the event that a fee is due and payable, please charge the same to our Deposit Account as indicated below.

→ USPTO CENTRAL

10/518,822

In the event that the Patent Office disagrees with Applicant's assessment of this matter, the undersigned respectfully requests that the Patent Office forward a formal explanation of why the Notice of Abandonment should not be withdrawn at this time.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted.

Scott A. Daniels

Customer No. 020210

Davis Bujold & Daniels, P.L.L.C.

112 Pleasant Street

Concord, NH 03301-2931

Telephone 603-226-7490

Facsimile 603-226-7499

E-mail: patent@davisandbujold.com

	Application No.	Applicant(s)				
10/518,822 HORIBA ET AL.						
Notice of Abandonment Examiner Art Unit						
	DATE	3767				
	SHEFALI D. PATEL		idress-			
The MAILING DATE of this communication ag	pears on the cover sheet will	ane correspondence				
This application is abandoned in view of:						
 Applicant's failure to timely file a proper reply to the Off (a) A reply was received on (with a Certificate of period for reply (including a total extension of time of time of the content of the	month(s)) which expire					
(b) A proposed reply was received on, but it does	es not constitute a proper reply u	flod smendment which D	laces the			
(A proper reply under 37 CFR 1.113 to a final reject application in condition for allowance; (2) a timely fi Continued Examination (RCE) in compliance with 3	led Notice of Appeal (with appeal 7 CFR 1.114).	i lee), or (5) a unitely mod	1,0400			
(c) A reply was received on but it does not cons final rejection. See 37 CFR 1.85(a) and 1.111. (See	ritute a proper reply, or a bona fi se explanation in box 7 below).	de attempt at a proper re	ply, to the non-			
(d) ⊠ No reply has been received.						
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).						
(a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).						
(b) ☐ The submitted fee of \$ is insufficient. A bala	nce of \$ is due.					
The issue fee required by 37 CFR 1.18 is \$		d by 37 CFR 1.18(d), is \$	·			
(c) The issue fee and publication fee, if applicable, has	s not been received.		!			
 Applicant's failure to timely file corrected drawings as r Allowability (PTO-37). 						
 (a) Proposed corrected drawings were received on after the expiration of the period for reply. 	(with a Certificate of Mailing	or Transmission dated _), which is			
(b) ☐ No corrected drawings have been received.						
4. The letter of express abandonment which is signed by the applicants.	the attorney or agent of record,	the assignee of the entire	e interest, or all of			
 The letter of express abandonment which is signed by 1:34(a)) upon the filing of a continuing application. 	y an attorney or agent (acting in	a representative capacity	under 37 CFR			
The decision by the Board of Patent Appeals and Integration of the decision has expired and there are no allowed.	rference rendered on and claims.	because the period for a	eeking court review			
7. ☑ The reason(s) below:						
Examiner called attorney Michael Bujold on 09/2 the response or any possible fees are not prese	24/2008. Bujold said that a reant in the application file in eD.	sponse was faxed to th AN, PALM, or PAIR.	e office; however,			
/Kevin C. Sirmons/ Supervisory Patent Examiner, Art Unit 3767	/Shefali D Patel/ Examiner, Art Unit	3767				
Petitions to revive under 37 CFR 1.137(a) or (b), or requests to will minimize any negative effects on patent term.	thdraw the holding of abandonment					
U.S. Patent and Trademark Office PTOL=1432 (Rev. 04-01) Not	lice of Abandonment	Part of	Paper No. 20081001			